

**WRITTEN COMMENTS OF CASCADE AND COLUMBIA RIVER RAILROAD  
COMPANY**

**AND  
PUGET SOUND & PACIFIC RAILROAD**

**RULEMAKING TO CONSIDER AMENDMENT OF WAC 480-60-035,  
WALKWAYS**

**DOCKET NO. TR-04105**

Introduction

These comments are filed on behalf of Cascade and Columbia River Railroad Company ("CSCD") and Puget Sound & Pacific Railroad ("PSAP"), both of which are railroads in the RailAmerica, Inc. corporate ownership.

CSCD began operations in 1996 and owns and operates approximately 130 miles of railroad between Olds Junction and Oroville with trackage rights over The Burlington Northern and Santa Fe Railway Company ("BNSF") between Olds Junction and Wenatchee. CSCD interchanged approximately 6,298 cars with BNSF in 2003. CSCD transports principal lumber and wood products, minerals and agricultural products. Its revenues are estimated to be about \$2.6 million this year.

PSAP began operations in 1997 and owns and operates approximately 149 miles of railroad from Centralia to Hoquiam and from Elam to Shelton with trackage rights over Union Pacific Railroad Company ("UP") and the City of Tacoma and operates for the U.S. Navy the line to Bremerton. CSCD transported approximately 20,920 carloads in 2003 and with UP and BNSF. PSAP transports principally lumber, logs and pulp. Its revenues are estimated to be \$7.2 million this year.

Comments

The United Transportation Union ("UTU") filed a petition for rulemaking with the Washington Utilities and Transportation Commission ("Commission") on June 9, 2004, requesting amendment of WAC 480-60-035 to mandate 3/4 inch rock for walkways along switching leads. Both CSCD and PSAP strongly oppose the UTU request.

Neither CSCD nor PSAP have experienced any safety problems with the current larger than 3/4 inch ballast each uses. In fact, the UTU June 7, 2004 offers no safety justification for the mandatory requirement and offer the following justification: "Until this is done, I have a bad feeling that we will be having problems with railroad officials trying to save some money and compromise safety by not following the recommendations." That it offers no basis for mandatory ballast standards that are punitive in nature due to the expenses involved to both CSCD and PSAP. The same will be true for all the other shortlines that operate in Washington State. The costs of

removing the "bad feeling" of the UTU are very costly. It should be noted that the rulemaking requires all shortlines to remove existing ballast on switching leads and replace it. Shortlines have much better uses to make of their capital dollars such as ties and rail.

CSCD and PSAP are willing to continue to work with all parties in the interest of safety where it is reasonable, affordable and where a compromise of safety has been experienced or demonstrated. Even in that case, CSCD and PSAP would want the ability to solicit State rail plan funds to initiate changes and a reasonable time frame (to be determined) to complete implementation.

CSCD and PSAP respectfully request that the Commission deny in all respects the UTU petition in this proceeding.